

Bill 18-867 Comprehensive Plan Amendment Act of 2010
New Amendments Submitted After the September 28, 2010, Council Committee of the Whole Public Hearing

Submitter	Chapter and Page #	Policy or Action or MAP	New or Existing Element Citation.*	10A DCMR Citation	Amended or New Text	OP Recommendation/ Justification	Ward or Citywide (CW)
National Capital Planning Commission	3-17	Action	<u>LU – 1.2.B</u>	n/a	<u>Encouraging Livability of Former Federal Lands:</u> <u>When land is identified to shift from federal to private or municipal use develop planning and zoning approaches that provide for, as appropriate, the reconstruction of historic rights-of-way and reservations, integration of the sites into the adjoining neighborhoods, creation of mixed use neighborhoods, and enhancement of special characteristics or opportunities of the sites. Encourage cultural, residential, and retail to ensure mixed-use neighborhoods, even if designated for high-density commercial on the Generalized Future Land Use Map; coordinate with NCPC as appropriate.</u>	The amendment proposal is recommended for Council approval. The amendment proposal is in response to recent federal actions to consider disposing of federal lands for private development. It is a new policy initiative that makes a substantive difference in policy application or action.	CW
National Capital Planning Commission	16-40	Policy Action	<u>CW-2.7.4</u> <u>CW-2.7.B</u>	n/a	<u>Redevelopment of Maryland Avenue SW and Surrounding Lands:</u> <u>Require residential uses and neighborhood livability standards for the creation of a new mixed use neighborhood, as part of any redevelopment of the Maryland Avenue SW area; provide for the reconstruction of Maryland Avenue, SW; including cultural</u>	The amendment proposal is recommended for Council approval. The amendment proposal is in response to recent federal actions to consider disposing of federal lands	2

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					<u>use and public space as appropriate.</u> Create New Action: Action CW-2.7.B: <u>Residential Uses in the Near Southwest.</u> <u>Use innovative zoning as appropriate to link development potential to identified infrastructure improvements; coordinate with NCPC to identify infrastructure consistent with local and federal planning goals for the area; innovative zoning may include establishing a direct correlation between maximum zoning entitlements and infrastructure construction, and requiring minimum residential densities.</u>	for private development. It is a new policy initiative that makes a substantive difference in policy application or action.	
National Capital Planning Commission	16-14	Policy	CW-1.1.4	1608.5	New Housing Development in Central Washington Encourage the development of new high-density housing in Central Washington, particularly in the area north of Massachusetts Avenue, and east of Mount Vernon Square, <u>and the L'Enfant Plaza /Near Southwest.</u> This area includes Mount Vernon Triangle, Northwest One, and NoMa, <u>and the L'Enfant Plaza /Near Southwest.</u> Ground floor retail space and similar uses should be strongly encouraged within these areas to create street-life and provide	The amendment proposal is recommended for Council approval. The amendment proposal is in response to recent federal actions to consider disposing of federal lands for private development. It is a new policy initiative that makes a substantive difference in policy application or	2

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					neighborhood services for residents. A strong Downtown residential community can create pedestrian traffic, meet local housing needs, support local businesses in the evenings and on weekends, and increase neighborhood safety and security.	action.	
National Capital Planning Commission	16-40	Policy	CW-2.7.1 (existing)	1617.5	Enhancing Central Washington Work collaboratively with the National Capital Planning Commission to improve the aesthetic quality, identity, and pedestrian character of the Near Southwest. Plans for the area should identify streetscape and signage improvements, pedestrian circulation changes, measures to mitigate the scale of the area's monolithic buildings, and guidelines for new (or replacement) buildings within the area, <u>and the potential for new residential uses if federal properties transfer from federal use.</u>	The amendment proposal is recommended for Council approval. The amendment proposal is in response to recent federal actions to consider disposing of federal lands for private development. It is a new policy initiative that makes a substantive difference in policy application or action.	2
CM Barry	FS 18-22	Policy	FSS-2.4.1	1814.3	Encourage reuse of the Congress Heights Metro station site with mixed use moderate <u>medium</u> density residential and commercial development. Development on the site should be compatible with the adjacent lower density neighborhood to the west and south, provide a connection to the future development on the St. Elizabeth's Campus,	The amendment proposal is recommended for Council approval with modifications. OP supports the amendment with the modification to include the range of both	8

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					and create a stronger sense of identity and gateway for the Congress Heights neighborhood. <u>Medium density development on the portions of the northwest quadrant of Square 5914 would be compatible with the adjacent lower density neighborhood to the west and south.</u>	<p>moderate and medium density mixed use. The inclusion of a specific square is not appropriate for the Comp Plan.</p> <p>OP supports the amendment because the metro station has two entrances—one on the St. Elizabeths Campus and one on the opposite side of Alabama Ave. Because Comp Plan Policy FSS-2.4.1 includes the entire metro station area, the medium density mixed use development recommended in the Council-approved St. Elizabeths East Redevelopment Framework Plan should be recognized in this text amendment.</p> <p>OP would not support a</p>	

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						<p>map amendment to increase the density on square 5914. Although OP understands the value of transit oriented development and strongly promotes its key principles, additional coordination with neighborhood stakeholders and the impacted ANCs should be conducted before any land use map change is pursued.</p> <p><i>OP recommended wording:</i> “Encourage reuse of the Congress Heights Metro station site with mixed use moderate to <u>medium</u> density residential and commercial development. Development on the site should be compatible with the adjacent lower</p>	

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						density neighborhood to the west and south, provide a connection to the future development on the St. Elizabeth's Campus, and create a stronger sense of identity and gateway for the Congress Heights neighborhood. Medium density development on the portions of the northwest quadrant of Square 5914 would be compatible with the adjacent lower density neighborhood to the west and south.	
CM Barry	n/a	MAP	n/a	n/a	Change the mixed use designation for the area known as the Howard Road Private Development Zone, encompassing AT&T lots located in Squares 5860 and 5861 fronting Howard Road, SE or Suitland Parkway and including lots 971 and 969 in Square 5860, from high density residential/medium density commercial/	The amendment proposal is NOT recommended for Council approval. The amendment proposal removes important language that addresses scale compatibility and	8

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					institutional to <u>high density residential/high density commercial/institutional.</u>	adjacency of development to the adjacent historic neighborhood. OP feels strongly that the pattern of development in Poplar Point should be responsibly compatible with Historic Anacostia as expressed in the Council-approved Anacostia Waterfront Framework Plan and the Anacostia Transit-Area Strategic Investment and Development Plan. Specific language from the plan includes guidelines for Poplar Point: Optimize Development Opportunities, <i>“Private development will be concentrated along Howard Road and envisioned to be compatible with the character of Historic</i>	

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						<i>Anacostia. Responsible and compatible mixed-use development is envisioned.”</i>	
CM Barry	19-26	Policy	AW-2.4.5	1914.11	Provide a scale and pattern of development in Poplar Point that <u>recognizes the area's proximity to a Metro station and other major surface arterials and that the area is physically separated from surrounding neighborhoods and can therefore accommodate buildings and site plans unlike those found</u> is compatible with the fine-grained pattern found in nearby Historic Anacostia. Development should include active ground floor uses and pedestrian-oriented when possible. The massing, height, and bulk of buildings and related features such as parking also should take into account adjacent park uses and environmentally sensitive areas. <u>Include the area known as the Howard Road Private Development Zone (HRPDZ), encompassing AT&T lots located in Squares 5860 and 5861 fronting Howard Road, SE or Suitland Parkway and including lots 971 and 969 in Square 5860, in a transferable development rights (TDR) receiving zone, which under</u>	The amendment proposal is NOT recommended for Council approval. The amendment proposal removes important language that addresses scale compatibility and adjacency of development to the adjacent historic neighborhood. OP feels strongly that the pattern of development in Poplar Point should be responsibly compatible with Historic Anacostia as expressed in the Council-approved Anacostia Waterfront Framework Plan and the Anacostia Transit-Area Strategic Investment and	8

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					<u>DCMR Title 11 is a C-3-C District. Allow development in that area at the heights and densities equivalent to those allowed in TDR receiving zones.</u>	Development. Specific language from the plan includes guidelines for Poplar Point: Optimize Development Opportunities, “ <i>Private development will be concentrated along Howard Road and envisioned to be compatible with the character of Historic Anacostia. Responsible and compatible mixed-use development is envisioned.</i> ”	
CM Barry	19-27	Action	AW-2.4.A	1914.15	Conduct additional detailed planning studies for Poplar Point, refining the preliminary development program set forth by the 2003 Target Area Plan. The desired mix of land uses and building intensities for the site should be further defined, and the specific transportation and infrastructure improvements necessary to support development and park construction should be identified. <u>As more fully set forth in Council Resolution 18-472, because of the importance of benefits from development in</u>	The amendment proposal is recommended for Council approval with modifications. <i>OP recommended wording:</i> Conduct additional detailed planning studies for Poplar Point, refining the preliminary development program set	8

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					<p><u>the HRPDZ to the community and the city as a whole, allow and encourage proposed projects required to be submitted under large tract review and/or as planned unit developments to be reviewed and go forward on an expedited basis, notwithstanding whether or not a Small Area Plan has been completed.</u></p> <p>.</p>	<p>forth by the 2003 Target Area Plan. The desired mix of land uses and building intensities for the site should be further defined, and the specific transportation and infrastructure improvements necessary to support development and park construction should be identified. <u>As more fully set forth in Council Resolution 18-472, because of the importance of benefits from development in the HRPDZ to the community and the city as a whole, high density commercial and residential mixed use shall be only considered as a matter of right on a provisional basis should a large federal tenant select the HRPDZ; absent of a federal tenant,</u></p>	

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						<u>additional planning through the Poplar Point Small Area Plan shall guide development and proposed projects. Projects anchored by a large federal tenants that are required to be submitted under large tract review and/or as planned unit developments can be reviewed and go forward on an expedited basis, notwithstanding whether or not a Small Area Plan has been completed.</u>	
CM Thomas; Holland & Knight	UNE 24-26	Policy	UNE-2.5.2	2415.6	<u>By rezoning to a category which permits the contemplated development as a matter-of-right under the C-2-C District without a specific design review or consideration of amenities,</u> encourage the long-term reuse of older commercial and industrial sites in the Rhode Island Avenue Metro station vicinity with higher-value mixed uses, including housing. Future mixed-use development should be pedestrian-oriented, with design features that encourage walking to the Metro	The amendment proposal is NOT recommended for Council approval. The Council may not legally tell the Zoning Commission what to zone properties.	5

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					station and nearby shopping.		
CM Thomas	UNE 24-27	Policy	<u>UNE 2.6.4</u>	n/a	<u>In Brookland's 12th Street corridor, in consultation with property owners, community groups, and residents, promptly use zoning changes as well as PUDs, incentives and other tools to facilitate mixed-use projects with retail and service uses at the street level, and with residential and commercial uses on upper stories; and that create productive synergies between 12th Street and planned adjacent economic development projects; assist with connectivity and parking policies; ensure quality project designs; and encourage voluntary preservation of buildings on 12th Street most emblematic of Brookland's history and character.</u>	<p>The amendment proposal is recommended for Council approval with modifications.</p> <p>The proposed amendment is not inconsistent with the approved Brookland/CUA Metro Station Area Plan which provides guidance for the redevelopment of 12th Street. Any proposed development that calls for a change in zoning or waivers to the PUD lot size requirements would be reviewed and approved by the Zoning Commission and include public input.</p> <p><i>OP recommended wording:</i></p>	5

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						<u>12th Street Corridor. In consultation with property owners, community groups, and residents, use zoning, incentives, and other tools to facilitate mixed-use projects with retail and service uses at street level, and with residential and commercial uses on upper stories. Create productive synergies between 12th Street and planned adjacent economic development projects; assist with connectivity and parking policies; ensure quality project designs; and encourage voluntary preservation of buildings on 12th Street most emblematic of Brookland's history and</u>	

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						<u>character.</u>	
CM Thomas	LU 3-27	Policy	<u>LU-2.1.14</u>	n/a	<u>Planned Unit Developments in Neighborhood Commercial Corridors. Consider modifying minimum lot size and other standards for Planned Unit Developments (PUDs) for neighborhood commercial areas to allow small property owners to participate in such projects that encourage high quality developments that provide public benefits.</u>	The amendment proposal is recommended for Council approval. The proposed amendment is not inconsistent with the approved Brookland/CUA Metro Station Area Plan which provides guidance for the redevelopment of 12 th Street. Any proposed development that calls for a change in zoning or waivers to the PUD lot size requirements would be reviewed and approved by the Zoning Commission and include public input.	CW
CM Thomas	UNE 24-21	Policy	<u>UNE-2.2.6</u>	n/a	<u>Promote development of an arts district along the eastern end of Florida Avenue, NE through: linkage with the H Street, NE arts and entertainment district and planned</u>	The amendment proposal is recommended for Council approval with	5

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					<u>development on lower Bladensburg Road; support of additional development on the corridor; and support of visual improvements.</u>	<p>modifications. OP recommends rewording the amendment proposal to develop a strategy for accomplishing the spirit of the policy rather than mandating it.</p> <p>OP has concerns that without engagement and discussion with stakeholders, vague statements about supporting additional development would be taken out of context. Bladensburg Road also contains one of the last concentrations of industrial land in the District which is needed to support a range of economic activity. In light of this, any additional development would have to be carefully considered through a planning</p>	

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						<p>process.</p> <p><i>OP recommended wording:</i> <u>Work with area stakeholders to develop a strategy for promoting</u> development of an arts district along the eastern end of Florida Avenue, NE <u>by considering</u> linkages with the H Street, NE arts and entertainment district and planned development on lower Bladensburg Road; support of additional development on the corridor; and support of visual improvements.</p>	
CM Thomas	UNE 24-21	Policy	UNE-2.2.1	2412.5	<p>Improve the overall appearance of Benning and Bladensburg Roads in the vicinity of Hechinger Mall. Pursue opportunities for additional pedestrian-oriented mixed use development fronting these streets, including ground floor retail uses, <u>particularly uses consistent with creating an arts and entertainment district</u>, and upper</p>	<p>The amendment proposal is recommended for Council approval. Since the adoption of the H Street Corridor Revitalization Plan in 2006, the District and the</p>	5

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					floor housing. Such development should be linked to transportation investments along these streets, including the proposed streetcar along H Street/Benning Road.	private sector have made significant investments to support the establishment of an Arts District. The amendment proposal supports the expansion of this effort to the adjacent Benning Road and Bladensburg Road corridors.	
CM Thomas; Holland & Knight	n/a	MAP	n/a	n/a	<p>Property located on the East side of 4th Street, between Rhode Island Avenue and Edgewood Street, NE Sq 3629 Lot 808</p> <p>Change designation from Mixed use, medium density residential/moderate density commercial to <u>Mixed use, high density residential/medium density commercial.</u></p>	<p>The amendment proposal is NOT recommended for Council approval.</p> <p>The property was approved for a PUD in 2006 with a 4.5 FAR and has had two extensions; the project proffered affordable housing, participation in DOES and DSLDB programs along with design and landscaping. While affordable housing will be required now through IZ, there will be no</p>	5

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						<p>requirement for job training and employment participation.</p> <p>The proposed reclassification to a high density will permit density well beyond that of the neighboring sites with a height of 90 feet which is about 40 feet taller than its neighbors.</p> <p>The topography and current development patterns of this area of Rhode Island Avenue require design review to ensure the pedestrian connectively is provided between the sites and along the Avenue, in a manner that unites the parcels and begins to make the corridor transform into a neighborhood center. This is best achieved</p>	

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						through a PUD for individual sites.	
CM Thomas; Holland & Knight	n/a	MAP	n/a	n/a	<p>500 block of Rhode Island Avenue, N.E. Bounded by Rhode Island Avenue, 5th and W Streets and the Metrorail right-of way,</p> <p>Change the designation on the Future Land Use Map from Production, Distribution and Repair (PDR) to <u>mixed use, high density residential/medium density commercial.</u></p>	<p>The amendment proposal is NOT recommended for Council approval. The Wilkes Company is the owner of property on the south side of Rhode Island Avenue. N.E., between 5th Street and the Metrorail right-of-way. Properties in this block are devoted to a mix of retail, service and institutional uses, mostly in one and two story buildings. The property is currently zoned C-M-2, which is an industrial zone. This site was identified as a development opportunity site within the Draft Rhode Island “Diamond in the District” Plan; however, this plan has</p>	5

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						not been approved by Council.	
CM Thomas	n/a	MAP	n/a	n/a	Florida Ave., NE between Trinidad Ave. and Bladensburg Rd., and Bladensburg Rd. between Mt. Olivet Rd. and Benning Rd., NE Designate H Street Northeast Arts Sub district (HS-A)?	The amendment proposal is NOT recommended for Council approval. OP supports the text amendment for a new Policy UNE 2.2.6 to accomplish this goal.	5
CM Wells	n/a	MAP	n/a	n/a	NW, SW and SE quadrants of the block bounded by M, N, 3rd and 4th Sts NE also Square 772, lots 1 , 2, 19, 6, 7, 20, 21, 22, 800, 801 and 802 Change Mixed use, medium density residential/production distribution and repair designation for NW, SW and SE quadrants of block bounded by M, N, 3rd and 4th Sts, NE to <u>mixed use, medium density residential/production distribution and repair/medium density commercial</u> .	The amendment proposal is NOT recommended for Council approval. The amendment proposal was originally submitted as amendment tracking #222; OP did not recommend for Council approval. The site is included in the study area of the NoMa Small Area Plan approved by Council in May 2009. The site is part of the Plan's Transition Area B which envisions a	6

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						precinct where development projects and their mix of uses reflect the industrial and historic character of NoMa and that the uses and scale of projects be complimentary to adjacent established row-house neighborhoods. The existing land use designation supports this vision; no land use designation change was recommended in the small area plan.	
Holland & Knight	AW 19-16 AW 19-17	Policy	AW 2.1 AW 2.1.1	1911.4 1911.7	<u>While the Plan provides important guidance, the specific development square footage and housing unit targets should be interpreted as illustrative, as they were developed in 2003 under different market conditions. Final development plans for the Southwest Waterfront should respond to the guidance of the Plan, as well as new policies that support sustainable and compact development that creates transit-oriented development. The Southwest Waterfront Plan and the Comprehensive Plan envision new</u>	The amendment proposal is recommended for Council approval with modifications. The amendment proposal was included in Bill 18-867 (Amendment Tracking #232) with slightly different wording in the second sentence of the first paragraph. OP	6

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					<p><u>residences, hotels, office, retail, cultural, and civic uses.</u></p> <p>Support the redevelopment of the Southwest Waterfront with medium to high density housing, commercial, and cultural uses and improved open space and parking. <u>The Future Land Use Map shows high density development and it is expected that the project will capitalize on height opportunities to provide public spaces and, where appropriate, a mix of medium development density in order to transition to the surrounding neighborhoods.</u> The development should also be designed to make the most of the waterfront location, creating and preserving public views and enhancing access to and along the shoreline.</p>	<p>recommends approval of this amendment proposal, with modified wording in the second sentence of the first paragraph: “<u>Final development plans for the Southwest Waterfront should respond to the guidance of the Plan, as well as new policies that support sustainable and compact development that enhances access to transit. creates transit-oriented development.</u>”</p> <p>Note: The amendment originally included in Bill18-867 should be deleted and substituted with this amendment proposal</p>	
Holland & Knight; CM Wells	n/a	MAP	n/a	n/a	<p>Randall School site: 65 I Street, SW Square 643-S, Lot 801, Ward 6, ANC 6D</p> <p>Change Future Land Use Map designation from medium density residential to <u>mixed-use high density residential/medium density</u></p>	<p>The amendment proposal is recommended for Council approval. The amendment proposal is a correction to the Future</p>	6

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					<u>commercial.</u>	Land Use Map to reflect anticipated redevelopment of the site as publically discussed through disposition of the site in 2005 and subsequent zoning cases.	
OP	n/a	MAP	n/a	n/a	Area west of 4 th St. and North of Penn St. Change Future Land Use Map from Production, Distribution and Repair <u>to mixed use high density residential, high density commercial and Production, Distribution and Repair.</u>	The amendment proposal is recommended for Council approval. The amendment proposal is a change to the Future Land Use Map that reflects the Florida Avenue Market Small Area Plan, approved by Council in October 2009. Note: The small area plan was approved by Council after the Draft Amendment Report was released; the amendment was inadvertently left out of the OP testimony on 9/28/10.	5

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OP	n/a	MAP	n/a	n/a	<p>Area South of Penn St, 6th St., 4th St., and Morse St. and the block bordered by Florida, 5th St., Morse St. and 4th Street</p> <p>Change Future Land Use Map from Production, Distribution and Repair to mixed use <u>medium density residential, high density commercial, , and Production, Distribution and Repair.</u></p>	<p>The amendment proposal is recommended for Council approval. The amendment proposal is a change to the Future Land Use Map that reflects the Florida Avenue Market Small Area Plan, approved by Council in October 2009. Note: The small area plan was approved by Council after the Draft Amendment Report was released; the amendment was inadvertently left out of the OP testimony on 9/28/10.</p>	5
OP	n/a	MAP	n/a	n/a	<p>Block bordered by Florida Avenue NE, 5th St. NE, Morse St. NE and 6th St NE</p> <p>Change Future Land Use Map from Production, Distribution and Repair to mixed use <u>medium density residential and moderate density commercial.</u></p>	<p>The amendment proposal is recommended for Council approval. The amendment proposal is a change to the Future Land Use Map that reflects the Florida Avenue Market Small</p>	5

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						Area Plan, approved by Council in October 2009. Note: The small area plan was approved by Council after the Draft Amendment Report was released; the amendment was inadvertently left out of the OP testimony on 9/28/10.	
OP	Chapter 25 Pg 25-19	Action	IM-3.3	2519	Updated Table 25.1 Action Planning (see attachment) Note: AC-2.1.D and CW-2.8.D appear in the text of the 2006 Comp Plan but were not included Table 25.1. These actions are inserted in the attached Table. Action T-2.1.J has been numbered correctly.	The amendment proposal is recommended for Council approval. The amendment proposal updates the existing Action Planning Table in the Implementation Element of the Comp Plan. The Action Planning Table is a compilation of all the actions included in the text of the Comp Plan. The amendment proposal inserts the new and modified actions.	CW

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Terry Lynch, Downtown Cluster of Congregations	3-43	Policy	<u>LU-3.2.4</u>	n/a	<u>Action LU-3.2.4: Zoning Regulation of Institutional Uses.</u> <u>In establishing ongoing regulations governing where institutions may be located and the extent to which they can expand in areas in which they are already situated, proceed in a manner that fully distinguishes institutional uses by their highly varied forms of impact, and that Places of Worship and Foreign Missions are regulated as consistent with the provisions of this Chapter, as amended.</u>	The amendment proposal is NOT recommended for Council approval. Institutional uses, including places of worship, have been separated from foreign mission uses in the proposed zoning changes. Foreign missions are handled separately, through a Congressional Act.	CW
Terry Lynch, Downtown Cluster of Congregations	3-43	Policy	<u>LU-3.2.5</u>	n/a	<u>Policy LU 3.2.5: Ensuring Consistency with Constitutional and Statutory Principles</u> <u>Ensure that the District of Columbia's laws, regulations and administrative practices as they related to Places of Worship are fully consistent with applicable provisions of the Constitution of the United States, the Religious Land Use and Institutionalized Persons Act of 2000 (Pub. L 106-274, 42 U.S.C. §2000cc-1 et seq.)</u>	The amendment proposal is NOT recommended for Council approval. OP determined that the amendment proposal was not appropriate because the existing Comprehensive Plan language is not in conflict with federal law. Zoning review changes are also in conformance with the Religious Land	CW

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						Use and Institutionalized Persons Act of 2000 (RLUIPA). All District law must be constitutional.	
Terry Lynch, Downtown Cluster of Congregations	3-43	Policy	<u>LU-3.2.6</u>	n/a	<u>Policy LU 3.2.6: Impose No Land Use Limits on Locating a Place of Worship in Any Base Zone District and Provide That If and When Places of Worship May Face Development Controls Specific to Ground or Other Floors or Street Frontage or Design Regulations that They May Pursue Relief from Same by a Special Exception Process Ensure that as the Zoning Regulations are revised that they provide that Places of Worship be allowed as a use in all zones by right and where that use faces other District imposed limits, they be able to seek relief by a special exception or equivalent process.</u>	The amendment proposal is NOT recommended for Council approval. All institutional uses, including places of worship, will be allowed as a matter-of-right with conditions on size and impact. Institutional uses not meeting size and impact standards will be eligible to apply for special exception.	CW
Terry Lynch, Downtown Cluster of Congregations	3-31	Policy	LU 2.3.6	311.8	Policy LU-2.3.6: Places Houses of Worship. Recognize churches <u>Places of Worship</u> and other religious institutions as an <u>ongoing</u> , important part of the fabric of the city's neighborhoods. Work proactively with the faith-based community, residents, ANCs, and neighborhood groups to address issues associated with churches	The amendment proposal is recommended for Council approval with modifications. <i>OP recommended wording:</i> Houses of Worship	CW

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					transportation needs, operations, and expansion <u>of these uses, so that they</u> churches may be <u>established</u> and sustained as neighborhood anchors and a source of spiritual guidance for District residents.	Religious Facilities. Recognize churches and other religious institutions <u>religious facilities</u> as an <u>ongoing</u> , important part of the fabric of the city's neighborhoods. Work proactively with the faith-based community, residents, ANCs, and neighborhood groups to address issues associated with church religious facilities' transportation needs, operations, and expansion, so that churches <u>existing and new religious facilities</u> may be sustained as neighborhood anchors and a source of spiritual guidance for District residents. <u>Recognize as well that places of worship or religious assembly, and</u>	

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						<u>other religious facilities or institutions are accorded important Constitution and Federal statutory protections under the First Amendment and the Religious Land Use and Institutionalized Persons Act of 2000. 311.8</u>	
Terry Lynch, Downtown Cluster of Congregations	3-31	Policy	LU-2.3.7	311.9	Policy LU-2.3.7: Non-Conforming Institutional Uses. Carefully control and monitor institutional uses that do not conform to the underlying zoning to ensure their long-term compatibility, <u>respecting, however, tenets of the Constitution and applicable Federal law pertaining to Places of Worship and diplomatic protocols</u> . In the event such uses are sold or cease to operate as institutions, encourage conformance with existing zoning and continued compatibility with the neighborhood.	The amendment proposal is NOT recommended for Council approval. The amendment proposal was originally submitted in June 2009 as amendment tracking #63; OP did not recommend for approval. OP determined that the amendment proposal was not appropriate because the existing Comprehensive Plan language is not in conflict with federal law. All District law must be	CW

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						constitutional.	
Terry Lynch, Downtown Cluster of Congregations	3-36 3-37	Policy	LU-3	313.1	b:Institutional Uses, <u>including Places of Worship</u> , which desire <u>vacant land or developed properties</u> for expansion but are often hemmed in by adjacent neighborhoods;	<p>The amendment proposal is recommended for Council approval with modifications.</p> <p>The amendment proposal was originally submitted in June 2009 as amendment tracking #64; OP did not recommend for approval.</p> <p><i>OP recommended wording:</i></p> <p>This section of the Land Use Element addresses five specific activities that require a greater level of direction than can be covered in the “Neighborhood” policies listed described above. These activities are an essential part of the District of Columbia and</p>	CW

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						<p>are vital to the city's future. Each of these uses presents a unique set of challenges and land use compatibility issues. They include:</p> <ul style="list-style-type: none"> a. Public Works and Industrial Uses, which are essential to government operations and the local economy, but also create external impacts and face displacement from higher value land uses; b. Institutional Uses, which desire <u>vacant land or developed properties</u> for expansion but are often hemmed in by adjacent neighborhoods; c. Foreign Missions, namely the chanceries and embassies of foreign governments, which seek to locate or expand in some of the city's most desirable neighborhoods; 	

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						d. Group Homes, Community Based Residential Facilities, and Supportive Housing, which provide for the essential housing and socialization needs of thousands of District residents but may end up concentrated in particular parts of the city; and e. Federal Facilities, which often operate in immediate proximity to residential neighborhoods, creating the need for sensitive planning as these uses expand, contract, and implement new security measures. 313.1	
Terry Lynch, Downtown Cluster of Congregations	3-41	Policy	LU-3.2	315.1	LU-3.2 Institutional Uses. Institutional uses occupy almost 2,300 acres—an area larger than all of the city’s retail, office, and hotel uses combined. These uses include colleges and universities, private schools, child care facilities, <u>Places of Worship</u> houses of	The amendment proposal is recommended for Council approval with modifications. <i>OP recommended</i>	CW

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					worship and religious institutions, hospitals, private and non-profit organizations, and similar activities.	<i>wording:</i> Institutional uses occupy almost 2,300 acres—an area larger than all of the city’s retail, office, and hotel uses combined. These uses include colleges and universities, private schools, child care facilities, houses of worship and religious institutions <u>religious facilities</u> , hospitals, private and non-profit organizations, and similar activities. 315.1	
Terry Lynch, Downtown Cluster of Congregations	3-43	Policy	LU-3.2	315.5	The growth of private institutions has generated significant concern in many of the city’s neighborhoods. These concerns relate both to external impacts such as traffic and parking, and to broader concerns about the character of communities where institutions are concentrated or expanding. <u>These concerns should be evaluated openly, but in a context respecting Constitutional principles, statutory requirements, and diplomatic protocols.</u>	The amendment proposal is NOT recommended for Council approval. The amendment proposal was originally submitted in June 2009 as amendment tracking #66; OP did not recommend for approval. OP determined that the amendment proposal was	CW

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						not appropriate because the existing Comprehensive Plan language is not in conflict with federal law. All District law must be constitutional.	
Terry Lynch, Downtown Cluster of Congregations	3-43	Policy	LU-3.2	315.8	Policy LU-3.2.3: Non-Profits, Private Schools, and Service Organizations. Ensure that large non-profits, service organizations, private schools, seminaries, colleges and universities, and other institutional uses that occupy large sites within residential areas are planned, designed, and managed in a way that minimizes objectionable impacts on adjacent communities. The zoning regulations should ensure that the expansion of these uses is not permitted if the quality of life in adjacent residential areas is significantly adversely affected. <u>Where the institution is a Place of Worship or contains such a Place, ensure that the oversight required to ensure this concern is addressed is limited only to those aspects of the Place of Worship having a compelling public interest to protect public safety so as to protect critical Constitutional principles not to involve government bodies and</u>	The amendment proposal is NOT recommended for Council approval. The amendment proposal was originally submitted in June 2009 as amendment tracking #67; OP did not recommend for approval. With this new Amendment, the submitter has modified language to include “Constitutional” in the text. OP determined that the amendment proposal was not appropriate because review of all institutional uses should be limited to	CW

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					<u>officials in matters of worship.</u>	issues having a compelling public interest. There is no need to differentiate places of worship in this manner. In addition, all District law must be constitutional.	
Terry Lynch, Downtown Cluster of Congregations	3-43	Policy	LU-3.2	315.9	Action LU-3.2.A: Zoning Actions for Institutional Uses. Complete a study of residential zoning requirements for institutional uses other than <u>Places of Worship</u> , colleges and universities. Determine if additional review by the Board of Zoning Adjustment or Zoning Commission should be required in the event of a change in use. Also determine if the use should be removed as an allowable or special exception use, or made subject to additional requirements.	The amendment proposal is NOT recommended for Council approval. The amendment proposal was originally submitted in June 2009 as amendment tracking #68; OP did not recommend for approval. OP determined that the amendment proposal was not appropriate because the study referenced has already been completed as a part of the comprehensive zoning review process. This process looked at all institutional uses	CW

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						including places of worship, colleges, and universities.	
TCI, Ltd.	n/a	MAP	n/a	n/a	4000 block (4021-4025) Minnesota Avenue SE	The amendment proposal is NOT recommended for Council approval. The amendment proposal is not specific about what land use designation change is being sought for the location. The information provided is part of the public hearing record.	7
ICG Properties/ Third Church of Christ, Scientist	n/a	MAP	n/a	n/a	<p>Third Church of Christ, Scientist Site: 900 16th Street, N.W. Square 185, Lot 41, Ward 2, ANC 2B</p> <p>Change Future Land Use Map designation from high density residential/medium density commercial to <u>high density commercial</u>.</p> <p><i>Rob asks: On your response to the Third Church/ICG amendment, is there a word missing in your sentence there? Are you saying that similar</i></p>	The amendment proposal is NOT recommended for Council approval. The site is part of a continuous four block corridor that frames 16 th Street from N Street to the White House, recognizing the special character of the area. To change the land use designation for this	2

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					<p><i>height and density could be achieved via a PUD with the existing Comp Plan designation (but with design and other “amenities”), as the height and density that would be achieved via a zoning map amendment and the Evans-recommended Comp Plan map change? Recognizing that you don’t want to compromise your strong opposition to this proposal, which probably will also be objected to by NCPC, is the alternative that I suggested – retaining the high residential stripe whether or not such designation crosses the street – any less objectionable on the opposition scale?</i></p> <p><u>OP Response:</u> <i>Yes to your first question. On the issue of the high density residential, this is the current designation, along with medium density commercial. We want ICG to apply for a PUD so that we can get the amenities. Our concern is that they want to develop as matter-of-right, which means they would not have to proffer any amenities.</i></p>	<p>would essentially carve out a parcel and disrupt that continuous pattern. It would remove the residential use and allow all office with no review along a recognized mixed use and special corridor.</p> <p>There is no connection between the Mayor’s Agent order for this site and the land use designation.</p>	
ICG Penn Branch Associates, LLC	n/a	MAP	n/a	n/a	Penn Branch Shopping Center Square 5539, Lots 838, 839 and 840 Change designation from low residential/low commercial to <u>mixed-use low density commercial/moderate</u>	The amendment proposal is NOT recommended for Council approval. The Penn Branch Shopping	7

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					<u>density residential.</u>	Center was the subject of great community concern and debate during the Pennsylvania Avenue small area planning process. The final approved plan includes language per the Council's request that any changes to the zoning on the site consistent with the plan would occur through a PUD process that includes public involvement. While the Plan does support moderate density development on the site, OP feels that the small area plan provides the specific, community vetted guidance for the site that the Zoning Commission can use to decide any zoning changes.	

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Washington Harbour, LLC	n/a	MAP	n/a	n/a	<p>Area along the Georgetown waterfront that is south of K Street, N.W. and the Whitehurst Freeway, N.W.</p> <p>Change designation from mixed used moderate density residential and low density commercial to <u>mixed used moderate density residential and moderate density commercial</u>.</p>	The amendment proposal is recommended for Council approval. The amendment proposal corrects a map error from the 2006 Comp Plan Update process.	2
Bundy Development	n/a	MAP	n/a	n/a	<p>Adams St NE to the north, 31st St NE to the east, to the rail line near V Street NE to the south, and 30th Place NE (including Square 4376, Lot 25) to the west.</p> <p>Change designation from low density residential to moderate density residential</p>	The amendment proposal is recommended for Council approval. The amendment proposal was included in OP's 9/28/10 testimony as "Section 2: Map Amendments." However, the site boundary is changed to include the rail line near V Street NE for the southern boundary of the parcel.	5

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Anne Alonzo and Alex Meeraus	n/a	MAP	n/a	n/a	<p>East side of Potomac Street, NW, between M Street and Prospect Street, NW.</p> <p>Change designation from low density commercial to <u>moderate density residential</u></p>	<p>The amendment proposal is recommended for Council approval.</p> <p>OP supports the land use designation change only on the northern portion of the east side of the block on Potomac Street, which would be consistent with the existing land use designation on the west side of Potomac Street.</p>	2